D.B. CIVIL SPECIAL APPEAL(W)NO.675/2007

Nanu Ram Jat & Anr.
Vs.
State and others.

DATE OF ORDER :: 09-05-2007

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

Shri Hari Kishan Saini, for the appellant.

The dispute relates to appointment on the post of teacher Gr.III. The result of the teachers training examination was published on 16.3.2007 and therefore, notwithstanding the terms of advertisement, candidates who had obtained the requisite qualification by virtue of the said result were permitted to submit the certificates by 31.3.2007. The appellant claims to have done B.Ed. course from Karnatak University, Dharwad. Admittedly, his result was published on 24.3.2007.

Law is well settled on the point that the eligibility has to be reckoned with reference to the cut off date prescribed in the rule or, in the absence of such rule, the date fixed in the advertisement and if the advertisement also does not mention any cut off date, the last date of submission of the applications. 16.3.2007 was the extended date while the appellant's result was published on 24.3.2007. As he did not possess the

requisite qualification on the relevant date, he cannot be considered for appointment.

We find no error in the order of the learned Single Judge. The appeal is dismissed.

[MOHAMMAD RAFIQ],J. **[S.N.JHA],CJ.**

Praveen

D.B. CIVIL SPECIAL APPEAL(W)NO.277/2007

EIH Associated Hotels Ltd.
Vs.
State of Rajasthan & Ors.

DATE OF ORDER :: 02-05-2007

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

Shri S. Kasliwal, with
Shri K. Verma, for the appellant.
Shri Bharat Vyas, for the Jaipur Development Authority.

Vide order in D.B. Civil Special Appeal(w) No.276/2007.

BY ORDER

COURT MASTER